

RESOLUTION NO. RS2019-1614 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of David W.K. Jones against the Metropolitan Government in the amount of \$65,000.

On the night of November 22, 2016, David Jones was stopped at a red light on South Fifth Street at the intersection of Shelby Street when he was struck from the rear by a large Metro Public Works dumpster truck operated by a Metro employee. The collision totaled Mr. Jones's automobile.

Mr. Jones sought treatment for pain in his head, neck, and left hip. He was diagnosed with neck strain and a hip contusion and required continued treatment related to pain in his left arm, hip and lower back, eye twitching, and shaking in both hands. He was also diagnosed with post-traumatic headaches, carpal tunnel, cervicalgia, and cervical disc disorder. He has agreed to accept a total of \$65,000 in full settlement of this case, based upon \$32,130.87 for reimbursement of his medical expenses plus \$32,869.13 for future medical expenses and pain and suffering.

The Department of Law recommends settlement of this claim for \$65,000.

No disciplinary action was taken in this instance because the Metro employee involved resigned shortly after the accident.

Fiscal Note: This \$65,000 settlement, along with the settlement per Resolution No. RS2019-1615, would be the twenty-fourth and twenty-fifth payments from the Self-Insured Liability Fund in FY19 for a cumulative total of \$1,235,674.44. The fund balance would be \$4,150,277 after these payments.